Docket No. (AMENDED): 53951-118

Application No. 10/772,888

Page 4 of 5

REMARKS

The Final Office Action dated September 27, 2006 has been reviewed, and the comments of the U.S. Patent Office have been considered. The Office Action concludes that claims 15, 17, 20, and 22 are allowable if placed in independent form. The claims have been amended such that claims 15 and 20 now incorporate their respective base claims, claims 16 and 21 have the scope of the prior claims 17 and 22, respectively. These claims should therefore be allowable. Also, claims 18 and 23 have been amended such that they depend from the base claims deemed to be allowable in the Office Action. Claims 18 and 23 should therefore be found allowable in view of positions presented in the Office Action.

Applicants disagree with the Examiner's conclusion regarding claim 14. In particular, Examiner states that a "fluid bag spike" is inherent in the disclosure by Twardowski of a patient access, which may include a dual lumen needle. Applicants believe a fluid bag spike is not inherent in the disclosure of such a device as disclosed by Twardowski.

Applicants disagree with the Examiner's conclusions, but notwithstanding the disagreement, in the interest of advancing prosecution of this application towards allowance, applicants have canceled the remaining claims. However, applicants expressly reserve the right to pursue the subject matter and scope of the rejected claims in any subsequent continuation or divisional application.

Docket No. (AMENDED): 53951-118 Application No. 10/772,888

Page 5 of 5

CONCLUSION

Applicants propose that all the claims have been either canceled or placed in condition for allowance.

Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact the undersigned to expedite prosecution of the application.

The Commissioner is hereby authorized by this paper to charge any fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-3840. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

mal Codam

Date: December 20, 2006 Patent Administrator

Proskauer Rose LLP

1001 Pennsylvania Avenue, NW

Suite 400

Washington, DC 20004 Telephone: 202.416.6800 Facsimile: 202.416.6899

CUSTOMER NO: 61263

Mark A. Catan

Attorney for Applicant Reg. No.: 38,720

Customer No. 61263